

**United States District Court**

for the

**Eastern District of New York****Request for Modifying the Conditions or Term of Supervision  
with Consent of the Offender  
(Probation Form 49, Waiver of Hearing is Attached)**Name of Offender: John SerranoCase Number 01-CR-1320-02Name of Sentencing Judicial Officer: The Honorable Jack B. Weinstein, Sr. U.S. District Judge for Eastern District of New YorkDate of Original Sentence: November 19, 2002Original Offense: Conspiracy to Import Heroin, 21 U.S.C. §§ 952(a), 963, 960(a)(1), and 960(b)(3), a Class C felonyOriginal Sentence: Thirty-seven months imprisonment, three years supervised release, and a \$100 special assessment fee; special condition includes that the defendant shall participate in a drug and alcohol treatment program as directed by the probation departmentType of Supervision: Supervised ReleaseDate Supervision Commenced: July 9, 2004

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**PETITIONING THE COURT**

- ☐ To extend the term of supervision for years, for a total term of years.
- ☒ To modify the conditions of supervision as follows:

The defendant shall participate in a mental health program for evaluation and/or treatment as directed by the U.S. Probation Office. The defendant shall remain in treatment until satisfactorily discharged and with the approval of the U.S. Probation Office.



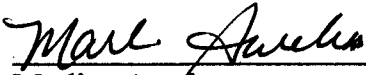
CAUSE

On November 18, 2005, U.S. Probation Officer Luis R. Gonzalez of the District of New Jersey Probation Department conducted a field home contact to the offender, John Serrano's residence. Since the offender's release in July 2004, he had been under the supervision of U.S. Probation Officer Gonzalez. Nevertheless, upon U.S. Probation Officer Gonzalez arrival to the offender's home on that date, the offender apparently did not recognize him. When Officer Gonzalez questioned the offender about his daily plans and activities, the offender's responses were incoherently answered. The offender reverted back to his childhood, while verbalizing that he wanted to sleep. U.S. Probation Officer Gonzalez and the offender mutually agreed that the offender's lack of motivation and change in behavior began after the offender's breakup with his girlfriend in February 2005.

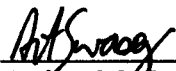
By way of background, the offender paid \$50 toward the special assessment. He remains enrolled in a drug treatment program where he satisfactorily reports as scheduled. His most recent urinalysis in February 2006, returned negative for illicit drug use. The offender is currently employed as a barber, earning approximately \$300 a week in a local shop. He maintains residency at his parents home in Linden, New Jersey. Prior to February 2005, the offender had lived with his girlfriend and had spent most of his leisure time with her.

On February 10, 2006, the offender signed the attached Probation Form 49, agreeing to participate in a mental health treatment program. On behalf of the District of New Jersey Probation Department, we respectfully request that the Court order the proposed modification with consent of the offender.

Respectfully submitted by,

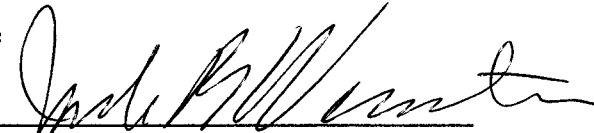
  
Marline Aurgus  
U.S. Probation Officer

Approved by,

  
Arthur M. Swasey  
Supervising U.S. Probation Officer  
Date: 3/7/06

THE COURT ORDERS:

- ☐ No Action
- ☐ The Extension of Supervision as Noted Above
- ☒ The Modification of Conditions as Noted Above
- ☐ Other

  
Signature of Judicial Officer  
3/7/06  
Date

**UNITED STATES DISTRICT COURT  
FOR THE  
DISTRICT OF NEW JERSEY**

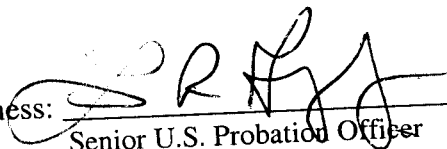
**Waiver of Hearing to Modify Conditions  
of Probation/Supervised Release or Extend Term of Supervision**

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

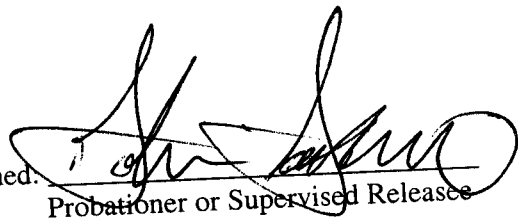
I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

The defendant shall participate in a mental health program for evaluation and/or treatment as directed by the U.S. Probation Office. The defendant shall remain in treatment until satisfactorily discharged and with the approval of the U. S. Probation Office.

Witness:

  
Senior U.S. Probation Officer  
Luis R. Gonzalez

Signed:

  
Probationer or Supervised Releasee  
John Serrano

2/10/06

DATE